FILED NO. 1633
BOOK 110 PAGE 681

1974 OCT -8 AM 11:36

Fee $8.50

Form 490

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

APPLICATION TO THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT FOR THE APPOINTMENT OF A COMMISSION TO APPRAISE DAMAGES

TO: Gibson C. Holliday, Chief Judge of the 5th Judicial District, including Madison County, Iowa

Comes now the Iowa State Highway Commission and states that the public interest requires that the State of Iowa acquire certain rights in *agricultural ~~*xxxxxxxxx~~ ~~xxxxxxxxxx~~ land hereinafter described, by condemnation proceedings, as authorized and provided by law.

The lands and/or property rights affected and the record owners, lienholders, encumbrancers, and other persons interested therein, are as listed on the sheets hereto attached and made a part hereof, and are shown with reference to their location as to lands affected on the plat hereto attached, marked Exhibit "A" and made a part hereof.

The State of Iowa desires certain specific rights in the land herein sought to be condemned for Primary Road right of way and/or access control and/or for highway drainage and/or for the purpose of obtaining and removing therefrom material suitable for the improvement and/or maintenance of the Primary Roads of the State of Iowa.

The State of Iowa and the Iowa State Highway Commission as the agency used by the State of Iowa for the improvement of its Primary Roads has been unable to secure the described rights in lands by purchase and conveyance.

NOW, THEREFORE, the Iowa State Highway Commission hereby requests the appointment of a compensation commission of six persons qualified as prescribed in Sec. 306.19, Code of Iowa, 1971, not interested in the same or a like question, to view the real estate involved and appraise the damages which the owners thereof, lienholders, encumbrancers, or other persons interested therein will sustain by reason of the appropriation herein sought to be condemned, for the purpose herein stated, and make their report in writing to the Sheriff as provided by law.

Dated at Ames, Iowa, this 30th day of July, 1974.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General and
Counsel to the Iowa State Highway Commission

Filed in duplicate in my office at Des Moines, Iowa, this 31 day of July, 1974.

Gibson C. Holliday
Chief Judge of the 5th Judicial District
including Madison County, Iowa

ENTERED FOR TAXATION
THIS 8 DAY OF Oct. 1974
AUDITORS FEE $ 2.00
George E. Abrahams
AUDITOR
Jean Allen
DEPUTY AUDITOR

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

TO:

Beatrice Clarke, Individually and as Administrator of the Estate of Willis J. Clarke, R.R. #3, Winterset, Iowa
Ivan D. Clarke, St. Charles, Iowa
Marjorie A. Baker, 911 West Boston, Indianola, Iowa
Marvel D. Clarke, 2507 Kenway Drive, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NW¼NE¼, NE¼NE¼, SW¼NE¼ and SE¼NE¼ of Sec. 11, and the NW¼NW¼ and part of the SW¼NW¼ of Sec. 12, both in T75N, R28W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE¼ of Sec. 11, T75N, R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 582+19.5, a point 114.6 ft. East of the N¼ Corner of said Sec. 11 on the north line of the NE¼ thereof, thence S0°43'E 2719.5 ft. to Sta. 555+00.

Said parcel is described as follows: All that part of the NE¼ of said Sec. 11 lying westerly of a line beginning at a point 110 ft. normally distant easterly of centerline on the north line of said NE¼, thence to a point 150 ft. normally distant easterly from Sta. 569+00, thence to a point 130 ft. normally distant easterly from Sta. 561+00, thence to a point 250 ft. normally distant easterly of centerline on the south line of said NE¼.

Said parcel contains 18.6 acres, more or less, exclusvie of the present established road.

Note: The north line of the NE¼ of said Sec. 11 is assumed to bear East and West.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for

Continued on next sheet

the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

684

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

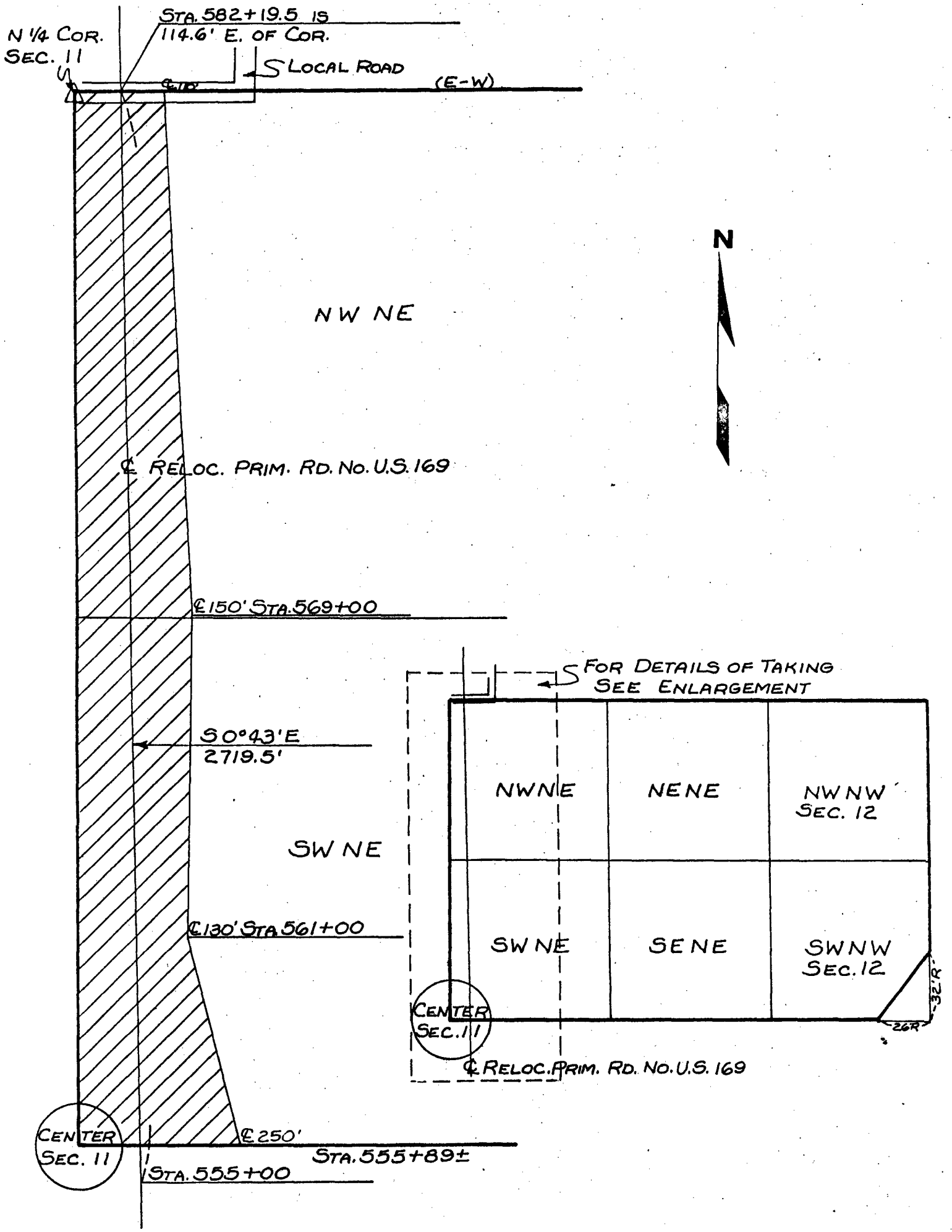
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 5

SECTION 11, 12 TOWNSHIP 75N RANGE 28W

ROW - FEE 18.6 AC, EASE AC, EXCESS - FEE AC

ACQUIRED FROM BEATRICE CLARKE, ET AL



DATE DRAWN SCALE FILMED

3350-25

Form 492

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

SELECTION AND APPOINTMENT OF COMPENSATION COMMISSIONERS BY THE CHIEF JUDGE OF THE 5th JUDICIAL DISTRICT

An Application for Condemnation having been filed with me by the Iowa State Highway Commission for the selection and appointment, by lot, of six suitable persons as the law provides to act as a compensation commission to assess and appraise the damages sustained by reason of the condemnation of certain specified rights in certain land described by Applicant, in its Application filed in the above entitled matter, I hereby designate, select, and appoint as the members of said compensation commission required in this matter the following persons:

NAME	ADDRESS	QUALIFICATIONS
Dwight Mundell	Winterset	Licensed Real Estate Salesman or Broker
Earl Whitworth	Winterset	Licensed Real Estate Salesman or Broker
Kenneth Ritter	Winterset	Knowledgeable of Property Values by Virtue of Occupation
Gail Leeper	Winterset	Knowledgeable of Property Values by Virtue of Occupation
N. B. Hollingsworth	Winterset	Agricultural
Harrison Vowell	Winterset	Agricultural

I further designate, select, and appoint, the above named Earl Whitworth to act as Chairman of said commission.

TO THE SHERIFF OF MADISON COUNTY, IOWA: Attached hereto please find a duplicate of the Application for Condemnation in the above-entitled matter.

Dated at Des Moines, Iowa, this 31st day of July, 19 74.

Gibson C. Holliday
Chief Judge of the 5th Judicial District
Including Madison County, Iowa

Filed in my office at Winterset, Iowa, this 2 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

686

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

RECEIVED
8-2-74 9:10 PM
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

Form 493

SUMMONS TO COMMISSIONERS

TO: Dwight Mundell, 720 N. 3rd, Winterset

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Dwight Mundell

Filed in my office at Winterset, Iowa, this 6 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

_____

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

Form 493

SUMMONS TO COMMISSIONERS

TO: Gail Leeper, c/o Union State Bank, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 19 74, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 6 day of August, 19 74. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Gail Leeper

Filed in my office at Winterset, Iowa, this 6 day of Aug, 19 74

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

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In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

RECEIVED
8-2-74 9 AM
SHERIFF
WINTERSET, IOWA

Form 493

SUMMONS TO COMMISSIONERS

133 S 10th Ave

TO: Kenneth Ritter, ~~517 N. 2nd~~; Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at Winterset, Iowa, this 5th day of August, 1974. I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Kenneth Ritter

Filed in my office at Winterset, Iowa, this 6 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

_____

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

Form 493

SUMMONS TO COMMISSIONERS

TO: N. B. Hollingsworth, R.R. 2, Winterset, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

N. B. Hollingsworth

Filed in my office at Winterset, Iowa, this 5 day of Aug, 1974.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

---

698

Form 493

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

INCL
8-27 9:10 AM
MADISON COUNTY SHERIFF WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Earl Whitworth, Macksberg, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

Earl Whitworth 8-3-74

Filed in my office at Winterset, Iowa, this 5 day of Aug, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

_____

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa In the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

Form 493

RECEIVED 8-2-74 9:10 pm MADISON COUNTY SHERIFF WINTERSET, IOWA

SUMMONS TO COMMISSIONERS

TO: Harrison Vowell, Peru, Iowa

The Iowa State Highway Commission has filed with the Chief Judge of the 5th Judicial District including Madison County, Iowa, an Application for the selection of a compensation commission to assess the damages which owners, lienholders, encumbrancers, and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of such appropriation of the rights as described in the Application for the improvement and/or the maintenance of primary roads and/or for highway drainage in Madison County, and

WHEREAS, pursuant to Iowa law, you have been selected and appointed by the Chief Judge of the 5th Judicial District for Madison County, Iowa, as a member of such compensation commission, and such selection and appointment has been duly filed in my office, and further, that Earl Whitworth has been designated as Chairman of the commission.

NOW, THEREFORE, you are commanded to be and appear before the undersigned in the office of the sheriff at Winterset, Madison County, State of Iowa, on 10th day of September, 1974, at 9:30 o'clock a.m. (cdt) for the purpose of qualifying as such commission, and proceed to view said premises and make an award of damages as by law provided.

Rex Rouse
Sheriff of Madison County, Iowa

ACCEPTANCE OF SERVICE

Due and legal service of foregoing Summons accepted and receipt of copy acknowledged at , Iowa, this day of , 19 .
I further certify that I do not possess any interest in the above proceedings which would cause me to render a biased decision therein.

PLEASE SIGN ORIGINAL SUMMONS AND RETURN PROMPTLY TO THE SHERIFF OF THE ABOVE NAMED COUNTY.

B. L. Vowell

Filed in my office at Winterset, Iowa, this day of , 19

Rex Rouse
Sheriff of Madison County, Iowa

REFUSAL TO SERVE

I will be unable to serve for the reason that I possess an interest in the proceeding which would cause me to render a biased decision, or for the reason that

691

6924

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 494

Primary Road No. U.S. 169 in and west of Winterset

OATH OF COMMISSIONERS

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

STATE OF IOWA)
)ss
Madison County)

Each of the undersigned being duly sworn says:

That I do possess the qualifications listed under my name below, and

That I do not possess any interest in the proceeding which would cause me to render a biased decision, and

That I will, to the best of my ability, faithfully and impartially assess the damages which owners, lienholders, encumbrancers and other persons interested in the land from which certain rights are sought to be appropriated by these proceedings will sustain by reason of the appropriation of the rights as set forth and described in the Application in the Office of the sheriff for the improvement and/or the maintenance of primary roads and/or for highway drainage and make a written report to the sheriff as authorized and prescribed in Chapters 306, 306A, 306B, 313, 471 and 471 and 472, Code of Iowa, 1971 and any amendments thereto, and in accordance with the instructions of the Chief Justice of the Supreme Court, and will well and truly perform any and all other duties imposed upon me by law as a member of the compensation commission selected and appointed to assess said damages.

Name: Merrill Mundell
Licensed Real Estate Salesman or Broker

Name: Esse Fehrenbacher
Licensed Real Estate Salesman or Broker

Name: Merle Reeder
Knowledgeable of Property Values by Virtue of Occupation

Name: Gail Seeger
Knowledgeable of Property Values by Virtue of Occupation

Name: N. B. Hollingsworth
(As appropriate to type of property involved) Agricultural

Name: W. S. Nowell
(As appropriate to type of property involved) Agricultural

Subscribed and sworn to before me this 10th day of September, 1974.

Margaret Wheeler
~~(Notary Public)~~ (Clerk of Court) in and for said Madison County and State

Filed in my office at Winterset, Iowa, this 10th day of September, 1974.

Rex Rouse
Sheriff of Madison County, Iowa

STATE OF IOWA
MADISON COUNTY
I hereby certify that I have this 10th day of September, 1974 read aloud the "WRITTEN INSTRUCTIONS FOR MEMBERS OF THE COMPENSATION COMMISSION" submitted to me for this purpose by the Chief Justice of the Iowa Supreme Court. (Senate File 1171 - 63 rd GA 2nd Session)

Rex Rouse Sheriff
Rex Rouse

5

Form 495, Sheet 1

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Relocated Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

NOTICE

RECEIVED
8-2-74 10AM
DBR
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Beatrice Clarke, Individually and as Administrator of the Estate of Willis J. Clarke, R.R. #3, Winterset, Iowa
Ivan D. Clarke, St. Charles, Iowa
Marjorie A. Baker, 911 West Boston, Indianola, Iowa
Marvel D. Clarke, 2507 Kenway Drive, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NW¼NE¼, NE¼NE¼, SW¼NE¼ and SE¼NE¼ of Sec. 11, and the NW¼NW¼ and part of the SW¼NW¼ of Sec. 12, both in T75N, R28W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE¼ of Sec. 11, T75N, R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 582+19.5, a point 114.6 ft. East of the N¼ Corner of said Sec. 11 on the north line of the NE¼ thereof, thence S0°43'E 2719.5 ft. to Sta. 555+00.

Said parcel is described as follows: All that part of the NE¼ of said Sec. 11 lying westerly of a line beginning at a point 110 ft. normally distant easterly of centerline on the north line of said NE¼, thence to a point 150 ft. normally distant easterly from Sta. 569+00, thence to a point 130 ft. normally distant easterly from Sta. 561+00, thence to a point 250 ft. normally distant easterly of centerline on the south line of said NE¼.

Said parcel contains 18.6 acres, more or less, exclusvie of the present established road.

Note: The north line of the NE¼ of said Sec. 11 is assumed to bear East and West.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for

the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the Code of Iowa and any amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the 10th day of September, 19 74, at 10:00 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publications of such notice in a newspaper.

Dated at _____ this _____ day of _____, 19_____.

_____

State of Iowa, County, ss:

Received the within notice the 2nd day of August, 19 74, and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State
Beatrice Clarke	August	12th	1974	Lincoln	Madison	Iowa
Ivan D. Clarke	August	7th	1974	Lincoln	Madison	Iowa

Fees:
Service $ 1.75
Mileage $_____
Total $

Rep Rouse
Sheriff, Madison County, Iowa

By, _____ Deputy

BBB

RETURN OF SERVICE — GOVERNMENTAL BODY

STATE OF IOWA, Madison County, ss.

The within Notice came into my hands on the 2nd day of August, 1974 and on the 7th day of August, 1974, I served the same upon the Madison County, Iowa by offering to read the same to George Abrahams, he being the Auditor of said Governmental Body, which he waived, and by giving him a true copy thereof, all done in Center Township, Madison County, Iowa.

FEES

Service - - - $_____

Copies - - - $_____

Mileage - - - $_____

Total - - - $_____

Rex Rouse, Sheriff

of Madison County

By _____ Deputy.

BOONE BLANK BOOK CO., BOONE, IOWA 1081-72

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

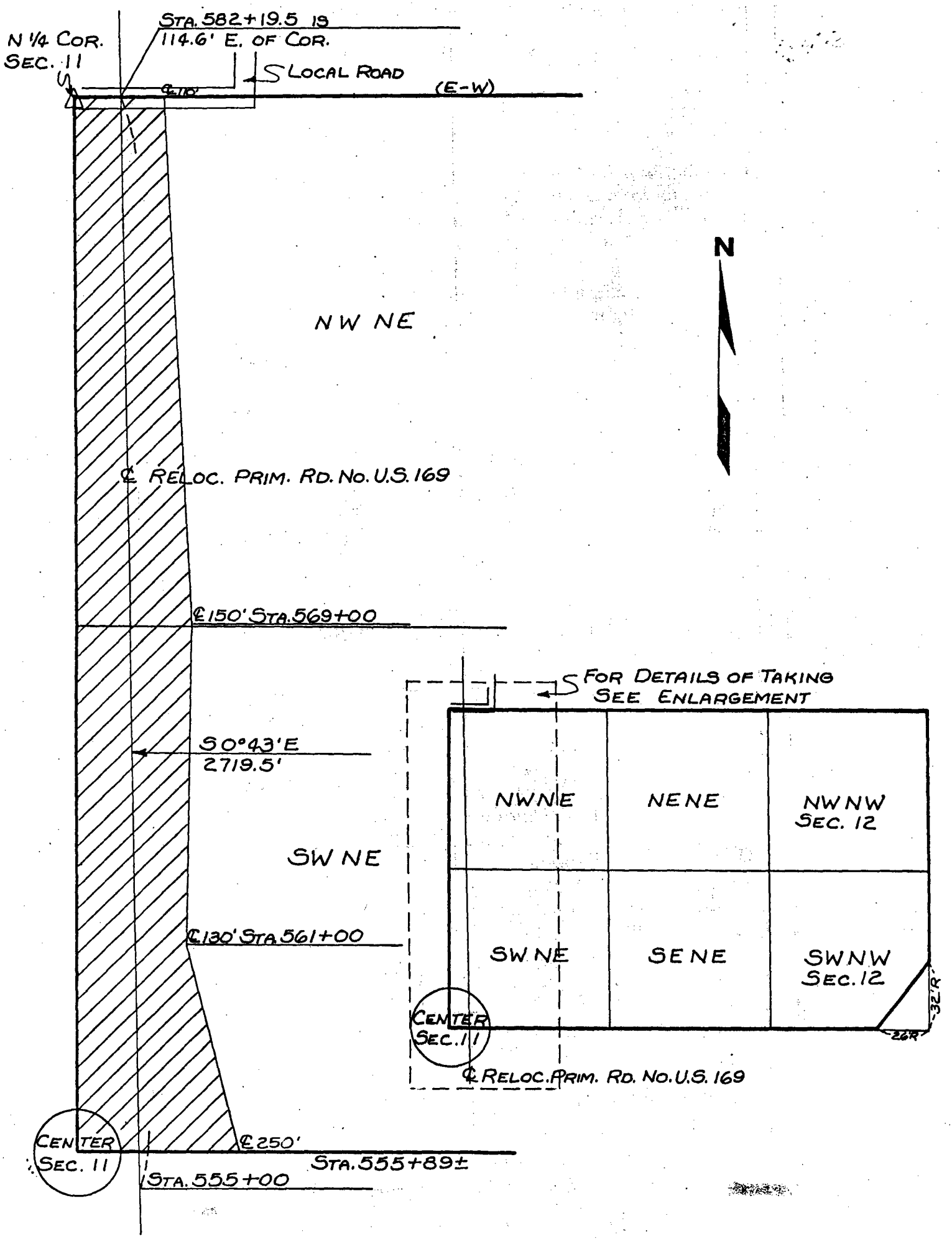
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 5

SECTION 11, 12 TOWNSHIP 75N RANGE 28W

ROW - FEE 18.6 AC, EASE ——— AC, EXCESS - FEE ——— AC

ACQUIRED FROM BEATRICE CLARKE, ET AL



DATE DRAWN ——— SCALE ——— FILMED ———

3350-25

697

698

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Form 495, Sheet 1

Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

NOTICE

RECEIVED
8-21-74
925
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Beatrice Clarke, Individually and as Administrator of the Estate of Willis J. Clarke, R.R. #3, Winterset, Iowa
Ivan D. Clarke, St. Charles, Iowa
Marjorie A. Baker, 911 West Boston, Indianola, Iowa
Marvel D. Clarke, 2507 Kenway Drive, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NW¼NE¼, NE¼NE¼, SW¼NE¼ and SE¼NE¼ of Sec. 11, and the NW¼NW¼ and part of the SW¼NW¼ of Sec. 12, both in T75N, R28W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE¼ of Sec. 11, T75N, R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 582+19.5, a point 114.6 ft. East of the N¼ Corner of said Sec. 11 on the north line of the NE¼ thereof, thence S0°43'E 2719.5 ft. to Sta. 555+00.

Said parcel is described as follows: All that part of the NE¼ of said Sec. 11 lying westerly of a line beginning at a point 110 ft. normally distant easterly of centerline on the north line of said NE¼, thence to a point 150 ft. normally distant easterly from Sta. 569+00, thence to a point 130 ft. normally distant easterly from Sta. 561+00, thence to a point 250 ft. normally distant easterly of centerline on the south line of said NE¼.

Said parcel contains 18.6 acres, more or less, exclusvie of the present established road.

Note: The north line of the NE¼ of said Sec. 11 is assumed to bear East and West.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for

the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the manner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the Code of Iowa and any amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the 10th day of September, 1974, at 10:00 o'clock, a. m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder
ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publications of such notice in a newspaper.

Dated at _____ this _____ day of _____, 19_____.

_____

State of Iowa, County, ss:

Received the within notice the day of , 19 , and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service $
Mileage $_____
Total $

_____

Sheriff, County, Iowa

By, _____ Deputy

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

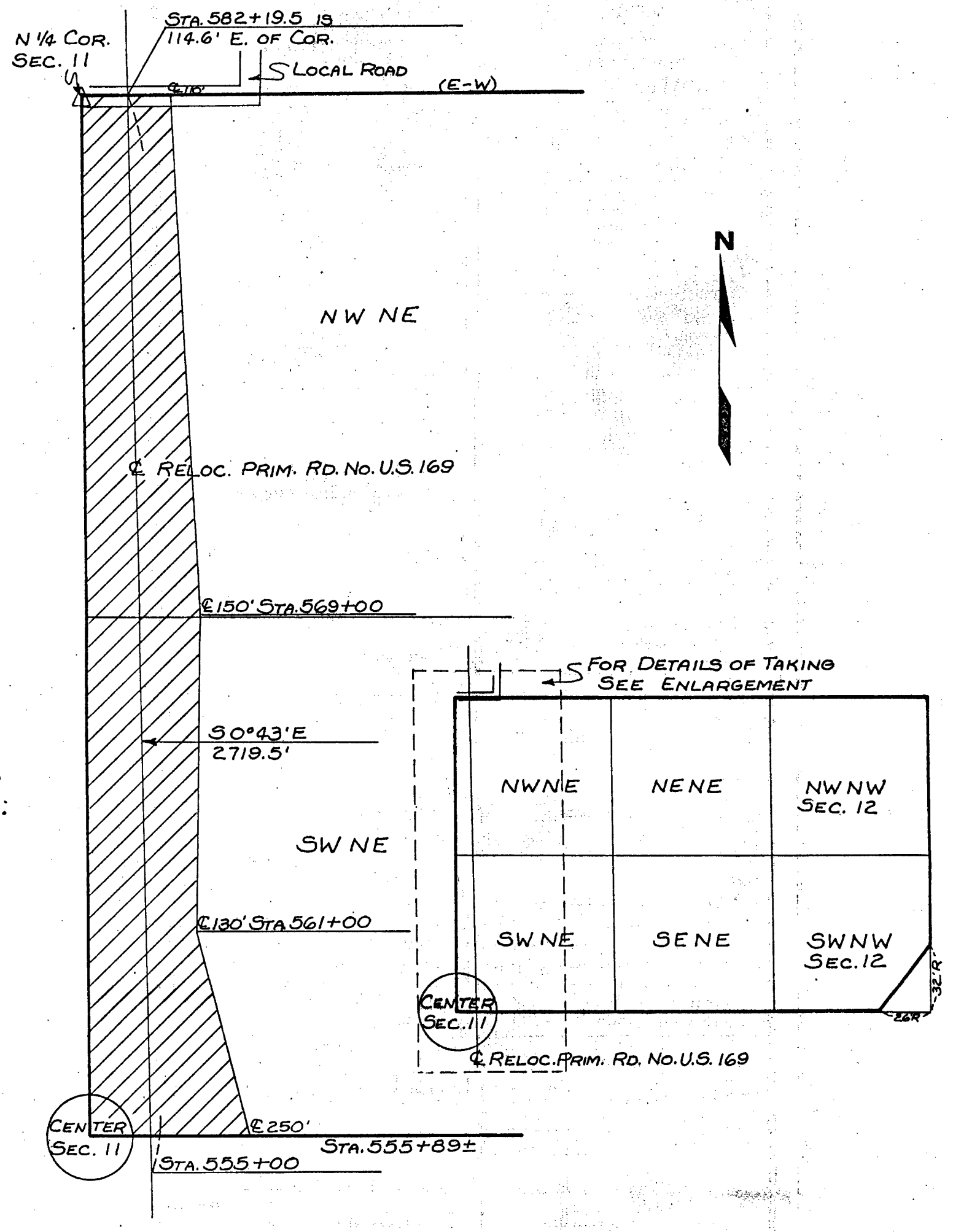
COUNTY MADISON STATE CONTROL NO. 10

PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 5

SECTION 11, 12 TOWNSHIP 75N RANGE 28W

ROW - FEE 18.6 AC, EASE ____ AC, EXCESS - FEE ____ AC

ACQUIRED FROM BEATRICE CLARKE, ET AL



DATE DRAWN ____ SCALE ____ FILMED ____

3350-25

701

RETURN OF SERVICE **ORIGINAL NOTICE**

STATE OF IOWA, }
WARREN COUNTY } ss.

The within notice received this _____ day of _____, 19___, and I certify that I served the same on the defendants named below by delivering a copy thereof to each of said defendants personally at the time and place set opposite their respective names:

Name of Defendants	Month	Day	Year	City, Town or Township	County	State

_____
Sheriff of Warren County, Iowa

By _____ Deputy

STATE OF IOWA, }
WARREN COUNTY } ss.

The within notice received this 6th day of August, 19 74 and I certify that on the 6th day of August 19 74 I served the same on the defendant Marjorie A. Baker at his dwelling house or usual place of abode in the ~~XXXXXXXXX~~ or Township of Washington in Warren County, State of Iowa, and which place was not a rooming house, hotel, club or apartment building, by there delivering a copy thereof to Dan Baker, a person residing therein who was then at least eighteen years old.

William M. Mathews
Sheriff of Warren County, Iowa

By Ward Ellison Deputy

SHERIFF'S FEES

Service - - - Paid By $ .75
Copy State Copy to file
Mileage Plff's Atty. ~~Def. Atty.~~ $ 1.00
Date Total 8-23-74 1.75
WILLIAM M. MATHEWS
WARREN CO. SHERIFF
By Catherine Miller Deputy

Form 495, Sheet 1

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Relocated Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

NOTICE

RECEIVED
1974 AUG -5 PM 2:54
SHERIFF ... COUNTY, IOWA

RECEIVED
9-16-74
MADISON COUNTY
SHERIFF
WINTERSET, IOWA

TO:

Beatrice Clarke, Individually and as Administrator of the Estate of Willis J. Clarke, R.R. #3, Winterset, Iowa
Ivan D. Clarke, St. Charles, Iowa
Marjorie A. Baker, 911 West Boston, Indianola, Iowa
Marvel D. Clarke, 2507 Kenway Drive, Des Moines, Iowa
Madison County, Iowa, c/o County Auditor, Winterset, Iowa

and to all other persons, companies or corporations having any interest in or owning any of the following described real estate:

NW¼NE¼, NE¼NE¼, SW¼NE¼ and SE¼NE¼ of Sec. 11, and the NW¼NW¼ and part of the SW¼NW¼ of Sec. 12, both in T75N, R28W of the 5th P.M., Madison County, Iowa.

You, and each of you, are hereby notified that the State of Iowa desires certain rights in land more specifically described as follows and shown with reference to their location as to lands affected on the plat Exhibit "A" attached hereto and to the Application filed with the Chief Judge of the Judicial District containing Madison County, Iowa and in the Office of the Sheriff of Madison County, Iowa, to which you are referred:

The title in fee simple sought to be appropriated is in land described as follows:

A parcel of land located in the NE¼ of Sec. 11, T75N, R28W of the 5th P.M., Madison County, Iowa, lying on both sides of part of the following described centerline of Relocated Primary Road No. U.S. 169, as shown on the plat Exhibit "A" attached hereto and by reference made a part hereof.

The centerline, designated by station points 100 feet apart, numbered consecutively from south to north, is described as follows: Beginning at Sta. 582+19.5, a point 114.6 ft. East of the N¼ Corner of said Sec. 11 on the north line of the NE¼ thereof, thence S0°43'E 2719.5 ft. to Sta. 555+00.

Said parcel is described as follows: All that part of the NE¼ of said Sec. 11 lying westerly of a line beginning at a point 110 ft. normally distant easterly of centerline on the north line of said NE¼, thence to a point 150 ft. normally distant easterly from Sta. 569+00, thence to a point 130 ft. normally distant easterly from Sta. 561+00, thence to a point 250 ft. normally distant easterly of centerline on the south line of said NE¼.

Said parcel contains 18.6 acres, more or less, exclusvie of the present established road.

Note: The north line of the NE¼ of said Sec. 11 is assumed to bear East and West.

In connection with this condemnation proceeding it is specifically provided as follows:

1. Any and all improvements, including fences, located wholly within the land sought in fee simple title are condemned in their entirety.

2. Any field tile lines, or outlets, which are located within the land being acquired under this proceeding, and are damaged or destroyed by highway construction, shall be relocated, replaced or restored by the condemnor outside of said land being acquired under this proceeding, and at no expense to the condemnees, and the State of Iowa shall have a right of temporary easement as necessary over condemnees' remaining property for

the specific purpose of effecting such relocation, replacement or restoration. The temporary easement rights, if any so acquired, shall terminate immediately upon completion of said restoration and in no event later than December 31, 1979.

3. Any 1974 crops growing on the land sought to be appropriated are reserved to the condemnees until January 15, 1975. Any crops not removed by said date shall become the property of the State of Iowa to dispose of as is deemed fitting.

That such condemnation is sought for primary road right of way and/or highway drainage and/or for the purpose of obtaining suitable material with which to improve or maintain and/or to maintain primary roads of the state of Iowa in the mahner prescribed in Chapters 306, 306A, 306B, 313, 471 and 472 of the Code of Iowa and any amendments thereto.

That a commission for the purpose of appraising and awarding damages which will be caused by said appropriation and condemnation has been selected and appointed as by law provided.

You are further notified that said commission will on the 10th day of September, 19 74, at 10:00 o'clock, a.m. (cdt) view the real estate described above and proceed to appraise said damages at which time you may appear before said commission if you care so to do.

IOWA STATE HIGHWAY COMMISSION

BY RICHARD C. TURNER
Attorney General of Iowa

BY Asher E. Schroeder

ASHER E. SCHROEDER
Special Assistant Attorney General
and Counsel to the Iowa State Highway
Commission, Ames, Iowa 50010

- - - - - - - - - - - - -

ACCEPTANCE OF SERVICE

Service of the above and foregoing notice is hereby accepted and receipt of a copy thereof acknowledged, and I hereby waive time of service and/or any publications of such notice in a newspaper.

Dated at _____ this _____ day of _____, 19_____.

_____

State of Iowa, County, ss:

Received the within notice the day of , 19 , and I hereby certify that I have served to each of said persons named below, by delivering a true copy of the same to each of said persons at the time and place set opposite their respective names:

Name	Month	Day	Year	Township, City or Town	County	State

Fees:

Service $
Mileage $_____
Total $

_____

Sheriff, County, Iowa

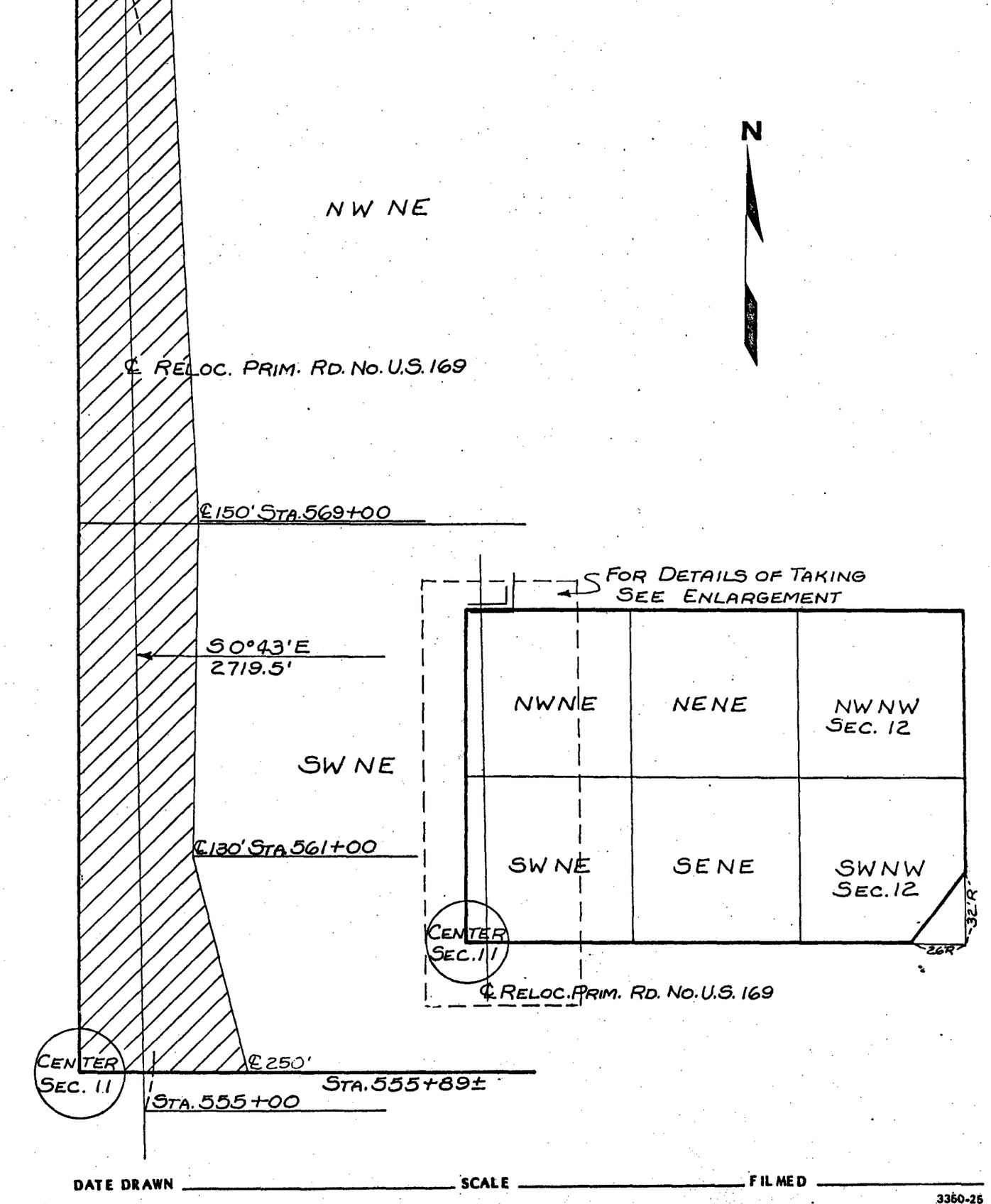
By, _____ Deputy

Form 137
11-71

IOWA STATE HIGHWAY COMMISSION

RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY MADISON STATE CONTROL NO. 10
PROJECT NO. FN-169-3(3)--21-61 PARCEL NO. 5
SECTION 11, 12 TOWNSHIP 75N RANGE 28W
ROW - FEE 18.6 AC, EASE AC, EXCESS - FEE AC
ACQUIRED FROM BEATRICE CLARKE, ET AL



DATE DRAWN SCALE FILMED

3360-25

STATE OF IOWA }
POLK COUNTY } SS.

RETURN OF SERVICE

I hereby certify and make return; that I received the within and attached notice on the 5th day of August 19 74, and that on the 6th day of August 19 74 I served the same on the within named defendant Marvel D Clarke at his dwelling house or usual place of abode in 2507 Kenway Drive, (Name of City, Town or Twp.) Des Moines, (Name County) Iowa, County, Iowa, by there delivering a true copy thereof, ~~and a copy of the notice attached,~~ (strike out if not so attached) to Janice Clarke a person residing therein, who was then at least eighteen years old; that such place was not a rooming house, hotel, club or apartment building.

Mileage $ 1.50
County $ .75
Total $ 2.25
Paid by Plt'fs. Attorney. Pd 9-10-74

~~SAM WISE~~
~~MACK WOODARD~~
Sheriff of Polk County, Iowa.

By Ronald P Hollerk Deputy.

"Polk County Personal Notice Service Return"

HOCH BROTHERS, DES MOINES

Form 130
6-70

T68

In the Matter of the Condemnation of
Certain Rights in Land by the Iowa
State Highway Commission for the
Use and Benefit of the State of Iowa
In the Improvement of

AFFIDAVIT OF FINAL OFFER

Primary Road No. U.S. 169 in and west of

Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

On this the 10th day of September, 1974, comes the Iowa State Highway Commission and states, as by law provided, that the most recent offers made to the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights in certain land as described by the Applicant in the Application filed in the above matter are as follows:

(Names as on Notice) $ 15,540.00

PARCEL 5 -
Beatrice Clarke, Indv. and as Admn. of the Estate
of Willis J. Clarke

Ivan D. Clarke

Marvel D. Clarke

Marjorie A. Baker

Madison County Treasurer

IOWA STATE HIGHWAY COMMISSION

BY: Gordon A. Sweitzer
Gordon A. Sweitzer
Right of Way Director by Robert L. North
Condemnation Agent

SEAL OF MADISON COUNTY IOWA 19

Subscribed and sworn to before me this 10th day of September.

Ida L. Silverthorn
~~Notary Public~~ Deputy Clerk in and for ~~Said~~ Madison County, Iowa

Filed in my office at Winterset, Iowa, this 10th day of September, 1974.

Roy Ronan
Sheriff of Madison County, Iowa

Form 496
17-71

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County

Project No. FN-169-3(3)--21-61

Group "F"

REPORT OF COMPENSATION COMMISSION

TO: Rex Rouse, Sheriff of Madison County, Iowa

We, the undersigned, being the duly appointed and qualified commissioners appointed to assess the damages sustained by the owners, lienholders, encumbrancers and other persons interested in the appropriation of certain specified rights as set forth and described in the Application filed in the above entitled matter respectfully report as follows:

That we proceeded to view the respective premises at the time or times fixed in the notice to persons interested therein and do hereby assess and appraise the damages which the respective persons will sustain by reason of the appropriation as follows:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Parcel 5	$	$	$	$
Beatrice Clarke, Indv. and as Administrator of the Estate of Willis J. Clarke; Ivan D. Clarke; Marvel D. Clarke; Marjorie A. Baker; Madison County Treasurer	$	$	$ 20,000	$
	$	$	$	$
	$	$	$	$
Parcel 21	$	$	$	$
Virginia Busch Hampton, Kenneth Wayne and Carrol William Busch; City Clerk of Winterset, Iowa; Madison County Treasurer	$	$	$ 9,240	$ 200.00
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$
	$	$	$	$

Respectfully reported at Winterset, Iowa, this 10th day of September, 1974

Hal Higgs
N. B. Hollingsworth
Dwight Mundell

Everett Cates
R. S. Powell
Earl Ellsworth

I certify that the above amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received.

Filed in my office at Winterset, Iowa, this 10th day of Sept., 1974

Rex Rouse
Sheriff, Madison County, Iowa

710

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U.S. 169 in and of Winterset

located in Madison Co Iowa

Project No. FN-169-3(3)--21-61

Group "F"

ENDORSEMENT OF SHERIFF OF MAILING OF NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

I, the undersigned, Sheriff of Madison County, Iowa, hereby endorse and certify to the Report of Compensation Commission; appearing upon the opposite side hereof that I have mailed by ordinary mail on this 10th day of Sept., 19 74, the attached Notices of Appraisement of Damages and Time for Appeal to each of the persons to which they are addressed.

Rep Ross

SHERIFF OF MADISON COUNTY, IOWA

Form 486
7-71

In the Matter of the Condemnation of Certain Rights in Land by the Iowa State Highway Commission for the Use and Benefit of the State of Iowa in the Improvement of

Primary Road No. U.S. 169 in and west of Winterset

located in Madison County, Iowa

Project No. FN-169-3(3)--21-61

Group "F"

Parcel No. 5

NOTICE OF APPRAISEMENT OF DAMAGES AND TIME FOR APPEAL

TO:

	Land & Improvements	Consequential Damages	Total Award	Condemnees' Atty. Fees and Costs
Beatrice Clarke	$	$	$ 20,000.00	$
Ivan D. Clarke	$	$	$	$
Marvel D. Clarke	$	$	$	$
Marjorie A. Baker	$	$	$	$
Madison County Treasurer	$	$	$	$
	$	$	$	$

You and each of you are hereby notified that the duly appointed and qualified commissioners assessed and appraised the damages sustained by reason of the condemnation as set out above, and that pursuant to Section 472.18 of the Code of Iowa, as amended by House File 215, Acts of the 64th General Assembly, you may within thirty (30) days from the date of mailing of this Notice, appeal to the district court as by law provided.

Date: 10th Day of Sept, 1974

Rep Reese

SHERIFF OF MADISON COUNTY, IOWA

7124

IN THE MATTER OF THE CONDEMNATION OF CERTAIN REAL ESTATE FOR PRIMARY ROAD PURPOSES BY THE STATE HIGHWAY COMMISSION OF THE STATE OF IOWA.

IN Madison COUNTY

PROJECT NO. FN-169-3(3)-21-61 Group "F"

SHERIFF'S CERTIFICATION AS TO AWARDS AND COSTS

To: Iowa State Highway Commission, Ames, Iowa

I hereby certify that the commissioners in the above-entitled cause convened at Winterset, Iowa, on the 10th day of September, 1974 and thereupon proceeded to view the premises and said commissioners did thereafter on the 10th day of September, 1974 file their report in my office awarding damages as follows:

NAME	AMOUNT
Parcel 5	
Beatrice Clarke, Indv. and as Administrator of the Estate of Willis J. Clarke; Ivan D. Clarke; Marvel D. Clarke; Marjorie A. Baker; Madison County Treasurer	$ 20,000.00
Parcel 21	
Virginia Busch Hampton, Kenneth Wayne and Carrol William Busch; Madison County Treasurer	9,240.00
Gordon Darling, Attorney	200.00
TOTAL DAMAGES AWARDED	$ 29,440.00

I further certify that costs incident to this proceeding have been taxed as follows: Serving Notices as listed below:

Date:	Name of Persons Served	Fee	Mileage	Rate .15	Amount	Total
8-12-74	Beatrice Clarke	.75				.75
8-7-74	Ivan D. Clarke	.50				.50
8-7-74	Madison County, Iowa	.50				.50
8-7-74	City of Winterset	.75				.75
8-7-74	Madison County, Iowa	.50				.50
			52	.15		7.80
	Postage					3.00
	copy fee					1.50

Sheriff, Summoning and attending commissioners $7.50

Sheriff, Mileage while attending commissioners, 10 Miles @ .15 1.50

$ 24.30

Earl Whitworth of Macksburg, Iowa

one	day service	$ 50.00
~~10~~ 34	miles at .10	5.10
one	meals	1.91
Lodging	Hotel	
	Total	$ 57.01

Dwight Mundell of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	2.25
Lodging	Hotel	
	Total	$ 53.75

Kenneth Ritter of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	2.25
Lodging	Hotel	~~53.75~~
	Total	$ 53.75

Gail Leeper of Winterset, Iowa

one	day service	$ 50.00
10	miles at .10	1.50
one	meals	1.55
Lodging	Hotel	
	Total	$ 53.05

N. B. Hollingsworth of Winterset, Iowa

one	day service	$ 50.00
13	miles at .10	1.95
one	meals	1.91
Lodging	Hotel	
	Total	$ 53.86

Harrison Vowell of ~~Rw~~ Peru, Iowa

one	day service	$ 50.00
18	miles at .10	2.70
one	meals	1.50
Lodging	Hotel	
	Total	$ 54.20

TOTAL " COMMISSIONER AND SHERIFF"S " EXPENSES $349.92

Given under my hand this 10th day of September, 19 74.

Rex Rouse

Rex Rouse
Sheriff of Madison County, Iowa

I certify that the foregoing amounts are legally payable to each claimant and that the claim is correct and just and that payment has not been received. I further certify that this file contains originals and/or copies of all papers pertaining thereto.

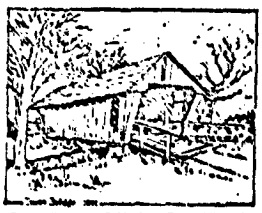
Dated this 10th day of September, 19 74.

Rex Rouse
Rex Rouse
Sheriff of Madison County

7/3

714

13



OFFICE OF

Sheriff of Madison County

REX ROUSE, SHERIFF
EDWARD POWELL, DEPUTY
WINTERSET, IOWA 50273

TELEPHONE
DAY OR NIGHT
462 - 3575
AREA CODE 515

Sept. 26, 1974

TO: Beatrice Clarke Indv & as administrator of the estate of Willis J. Clarke; Ivan D. Clarke; Marvel D. Clarke; Marjorie A. Baker; Madison County Treasurer

This is to advise you that there has been deposited with me Check # 03158492 in the amount of $20,000.00. This check represents the amount of the Condemnation Conpensation Commission award made on Sept. 10, 1974. This check may be picked up at the Madison County Sheriff's Office at your convenience between the hours of 8 A.M.-Noon and 1 P.M.-5 P.M. any Monday through Friday. I would however, suggest you contact your attorney BEFORE picking this check up.

Yours truly,

Rex Rouse

Rex Rouse, Sheriff
Madison County, Iowa 50273

Date Accepted September 27, 1974

By Beatrice Clarke